

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
BOYCE PARKER,**

COMPLAINANT,

v.

CASE NO. 21-1157-GA-CSS

**THE EAST OHIO GAS COMPANY DBA
DOMINION ENERGY OHIO,**

RESPONDENT.

ENTRY

Entered in the Journal on March 3, 2022

{¶ 1} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 2} The East Ohio Gas Company dba Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On November 9, 2021, Boyce Parker (Complainant) filed a complaint against DEO, stating that, on July 19, 2021, he opted out of the natural gas governmental aggregation program and mailed a card to do so. Complainant contends that the Northeast Ohio Public Energy Council (NOPEC) asserts that it will lower his bill, but instead, his expense has increased.

{¶ 4} DEO filed its answer on November 29, 2021. DEO notes that, prior to May 24, 2021, Complainant had been enrolled in the Percentage of Income Payment Plan (PIPP Plus), but was removed from PIPP Plus on May 24, 2021, for failure to meet verification requirements. DEO adds that Complainant was next enrolled in Graduate PIPP Plus on or

around July 7, 2021, but on July 12, 2021, Complainant requested to be dropped from Graduate PIPP Plus. DEO states that Complainant received the standard service offer rate while his account was enrolled in PIPP Plus and Graduate PIPP Plus. DEO contends that Complainant was notified on July 29, 2021, that his account was assigned to Barracuda Energy LLC at its standard choice offer (SCO) rate. DEO asserts that its records indicate that Complainant's account is not currently enrolled, nor has ever been enrolled, with NOPEC following Complainant's removal from PIPP Plus in July 2021. According to DEO, its representatives spoke with Complainant during a telephone call on September 1, 2021, and attempted to explain commodity service options to him, but Complainant disconnected the call; Complainant then filed an informal complaint with the Commission on September 2, 2021, disputing the change to the SCO supplier. DEO denies that it applied any credits or charges to Complainant's account, or administered Complainant's enrollment in any commodity service, in a manner inconsistent with applicable statutes, rules, or tariff provisions. DEO denies any remaining allegations in the complaint and observes that the complaint fails to comply with Ohio Adm.Code 4901-9-01(B), which requires a complaint to clearly explain the facts.

{¶ 5} The parties participated in a December 16, 2021 settlement conference but were unable to resolve the matter.

{¶ 6} Accordingly, a hearing will be held remotely on April 4, 2022, at 10:00 a.m. and will be conducted using virtual hearing technology. Instructions for participation in the evidentiary hearing will be emailed to the parties. Additionally, all exhibits intended to be used on direct and cross-examination shall be marked and exchanged by the parties and provided to the attorney examiner via electronic means prior to the hearing. Individuals interested in attending the evidentiary hearing as a non-party can access the hearing using the link <https://bit.ly/21-1157-EVH> and entering the password PUCO, or by calling 1-408-418-9388 and entering access code/event number 2336 645 1978.

{¶ 7} As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Pub. Util. Comm.*, 5 Ohio St.2d 189, 214 N.E.2d 666 (1966).

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the evidentiary hearing take place as scheduled remotely on April 4, 2022, in accordance with Paragraph 6. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn
Attorney Examiner

SJP/hac

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

3/3/2022 11:49:12 AM

in

Case No(s). 21-1157-GA-CSS

Summary: Attorney Examiner Entry ordering that the evidentiary hearing take place as scheduled remotely on April 4, 2022, in accordance with Paragraph 6 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission